

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CERTAIN REAL PROPERTY
COMMONLY KNOWN AS 4512
SOUTH DREXEL BOULEVARD,
CHICAGO, ILLINOIS,

Defendant,

and

FRANCIS BURNS and WORLD
BURNS INC.,

Claimants.

ORDER

Case No. 18-CV-1290-JPS

This action for civil forfeiture *in rem* was filed on August 21, 2018. (Docket #1). The government seeks forfeiture of the defendant property, which is titled to the claimant World Burns, Inc. (the “Company”), because it is traceable to the proceeds of wire fraud. *Id.* at 2. Francis Burns (“Burns”), identified as a claimant on the Court’s docket sheet, has filed a number of largely unintelligible documents in an apparent attempt to assert a claim to the property, either on his own behalf or that of the Company. *See* (Docket #9, #11, #12, and #19).

This matter was originally assigned to Magistrate Judge William E. Duffin. While it was pending before Judge Duffin, the government filed a

motion to strike some of the putative notices of claim filed by Burns. (Docket #13). Judge Duffin granted the motion on November 29, 2018. (Docket #17). The case was reassigned to this branch of the Court on January 3, 2019. Prior to the reassignment, the government filed a second motion to strike another of Burns' filings. (Docket #18). There, the government sought to strike a document docketed as a "notice of claim," even though it does not qualify as such a notice. *See id.*, (Docket #9).

Neither Burns nor the Company filed a brief in opposition to the government's motion, and the time in which to do so has expired. Civ. L. R. 7(b). The Court will, therefore, grant the motion and strike the putative notice of claim. (Docket #9). The Court will also *sua sponte* strike Burns' December 26, 2018 filing. (Docket #19). It is a rambling, incoherent document having no legitimate purpose or effect in this case.¹ The Court

¹Burns' filings suggest his adherence to the "sovereign citizen" movement. "Sovereign citizens" hold nonsensical beliefs about the jurisdiction of the U.S. government and maintain that they are not subject to laws in the same manner as everyone else:

As explained by the FBI, "Sovereign citizens view the USG [U.S. government] as bankrupt and without tangible assets; therefore, the USG is believed to use citizens to back U.S. currency. Sovereign citizens believe the USG operates solely on a credit system using American citizens as collateral. Sovereign citizens exploit this belief by filing fraudulent financial documents charging their debt to the Treasury Department." Federal Bureau of Investigation, "Sovereign Citizens: An Introduction for Law Enforcement" 3 (Nov. 2010), <http://info.publicintelligence.net/FBI-SovereignCitizens.pdf> (visited March 6, 2013).

El v. AmeriCredit Fin. Servs., Inc., 710 F.3d 748, 750 (7th Cir. 2013). The Court of Appeals has repeatedly found that such beliefs are without a lawful basis. *Id.*; *Bey v. State of Ind.*, 847 F.3d 559 (7th Cir. 2017). Any future filings by Burns should be founded in the law and facts relevant to this case, not his fanciful musings about trusts, debtors, UCC financing statements, and the like.

warns Burns that if he offers any further frivolous filings in this matter, he will be subject to appropriate sanctions.

Accordingly,

IT IS ORDERED that Plaintiff's motion to strike (Docket #18) be and the same is hereby **GRANTED**; and

IT IS FURTHER ORDERED that the documents filed on October 1, 2018 (Docket #9) and December 26, 2018 (Docket #19) by Claimant Francis Burns be and the same are hereby **STRICKEN**.

Dated at Milwaukee, Wisconsin, this 5th day of February, 2019.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge